

CIVIL

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I (a) PLAINTIFFS

DAVID HUMPHREYS,
CLASS REPRESENTATIVE

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Jasper
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

MAIN STREET JOPLIN, INC.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Jasper
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
TRACT OF LAND INVOLVED

(c) ATTORNEYS (ARM NAME, ADDRESS, AND TELEPHONE NUMBER)

Joe Rebein
Joseph S. Gall
Shook, Hardy, & Bacon, L.L.C.
1200 Main Street
Kansas City, Missouri 64105-2118

ATTORNEYS (IF KNOWN)

00-5021-CV-SW-3

II. BASIS OF JURISDICTION

(PLACE AN X IN ONE BOX ONLY)

0 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
0 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

	PTF DEF	PTF DEF
Citizen of This state	<input checked="" type="checkbox"/> 1 0 1	Incorporated or Principal Place of Business In This State
Citizen of Another State	<input type="checkbox"/> 2 0 2	Incorporated and Principal Place of Business in Another State
Citizen or Subject of a Foreign country	a 3 c 3	Foreign Nation

IV. CAUSE OF ACTION (CITE THE U.S. AM. STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

42 USC 1983 -

DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY) Defendant, acting under color of state of law, violated and continues to violate plaintiff's right to due process arising from defendant's operation and regulation of on-street metered parking in Joplin, Missouri. Related state claims.

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> PERSONAL INJURY	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 422 Appeal	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 620 Food & Drug	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 423 Withdrawal	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 650 Airline Regs		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 660 Occupational Safety/Health		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 690 Other		<input type="checkbox"/> 810 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle			<input type="checkbox"/> 850 Securities/Commodities/Exchange
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability			<input type="checkbox"/> 875 Customer Challenge
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 12 USC 3410
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 891 Agricultural Acts
				<input type="checkbox"/> 892 Economic Stabilization Act
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 861 HIA (1395f)	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 530 Habeas Corpus	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 894 Energy Allocation Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 863 DIWC (405g)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 550 Civil Fugw	<input type="checkbox"/> 863 DIWW (405g)	<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice
<input type="checkbox"/> 245 Tort Product Liability	<input checked="" type="checkbox"/> 440 Other Civil Rights		<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 bdlulwPrcwtv			<input type="checkbox"/> 865 RSI (405g)	<input type="checkbox"/> 890 Other Statutory Actions
FEDERAL TAX SUITS				
			<input type="checkbox"/> 670 Taxes (U.S. Plaintiff or Defendant)	
			<input type="checkbox"/> 671 IRS—Third Party	
		0 791 Emp. Ret. Inc. Security Act	28 USC 7609	

VI. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

1 Original Proceeding 2 Removed from state Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify)

0 6 Multidistrict Litigation

Appeal to District
 7 Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT: UNDER F.R.C.P. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: YES NOVIII. RELATED CASE(S) (See instructions:
IF ANY)

JUDGE _____ DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

3/31/00

Case 3:00-cv-05029-GAF Document 1-1 Filed 03/31/00 Page 1 of 1